

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:07 mj 39-01**

UNITED STATES OF AMERICA,

Vs.

MICHAEL W. EVERS,

Defendant.

)
)
)
)
)
)
)
)

ORDER

THIS CAUSE coming on to be heard and being heard before the undersigned for a status conference regarding the release of the defendant. On April 6, 2007 the undersigned has entered an order setting terms and conditions of pretrial release for the defendant. These terms and conditions required that the defendant reside with the defendant's father and be subject to electronic monitoring. Based upon evidence that has now been presented a question has arisen as to whether or not the release of the defendant would create a risk of flight on his part. The defendant's father has testified that the defendant's sister, who resides in Oregon, told the defendant's father that if the defendant was released on terms and conditions of pretrial release, that the defendant would flee the jurisdiction and possible prosecution in this matter.

Based upon the foregoing, the undersigned has determined, by a preponderance of the evidence, that the release of the defendant would create a risk of flight and thus enters and order revoking the previous order setting terms and conditions of pretrial release and shall enter an order of detention by separate order.

ORDER

WHEREFORE IT IS ORDERED that the previous order (#7) setting terms and conditions of pretrial release entered on April 6, 2007 is hereby **REVOKED** and that the defendant is ordered to be detained, pursuant to a separate order of detention which has been entered herein.

Signed: April 13, 2007

Dennis L. Howell

Dennis L. Howell
United States Magistrate Judge

